

**REMARKS**

Claims 10-21, 23-30, 37-42, 45 and 53-64 are pending in the present application. Claims 1-9, 22, 31-36, 43-44 and 46-52 have been cancelled. Claims 10, 23 and 59 are independent claims.

In the pending Office communication, the Examiner stated that the marked-up version of the claims submitted in January 2009 was not properly marked-up, and that the amendments submitted in July 2008 had not been entered because the claim set submitted therewith was not properly marked-up.

In the December 16, 2008 Office communication, the Examiner stated that the amendments submitted in July and August 2008 presented claim 39 in a form different than it was presented in the January 2008 amendment, and that insertions and deletions regarding the apparent amendments were not indicated. Upon reviewing the papers, the undersigned determined that due to a typographical error, claim 39 as previously presented in the Supplemental Amendment filed August 8, 2008 was, in fact, an inadvertent duplication of claim 38. Accordingly, the January 16, 2009 listing provided only the correction to claim 39 together with the amendments to the July 10, 2008 claims that were presented in the August 8, 2008 Amendment.

The pending Office communication clarified that the July 2008 claim set had not been marked-up properly vis-à-vis the then-current January 2008 claim set in other ways. Having now more fully understood the Examiner's concerns and identified the source of the confusion, Applicants submit herewith a marked-up claim set formatted to appear as the January 2008 claim set with indications of the amendments that were included with the July 2008 Amendment and the August 2008 Supplemental Amendment.

Because claims 42 through 47 were added as new claims in the July 2008 amendment, and then cancelled in the August 2008 supplemental amendment, they have been indicated by number only and as canceled in the “new claims” section. Applicants have done this to preserve the format of starting with the January 2008 claims and then indicating all of the amendments made by the July 2008 and August 2008 amendments.

In addition, in preparing the claim set submitted herewith Applicants noticed a few minor formal issues with the claims (*e.g.*, minor grammatical errors). However, for clarity and simplicity the claim set submitted herewith has been provided as amended in the July 2008 and August 2008 responses, and Applicants anticipate correcting these formal issues in a subsequent communication with the Office.

No new matter has been added by this Response.

### **Conclusion**

Accordingly, in view of the above amendments and remarks, reconsideration and allowance of each of claims 10-21, 23-30, 37-42, 45 and 53-64 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: 

Bradford Paul Schmidt, Reg. No. 42,128  
P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000

DJD/BPS/dab